

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

337T0274

SENATE HEALTH AND HUMAN SERVICES

ENGROSSED NO. **HB 1171** - 2/22/2012

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: Representatives Munsterman, Brunner, Elliott, Hickey, Hunt, Jensen, Kopp, Liss, Magstadt, Miller, Nelson (Stace), Olson (Betty), Schaefer, and Sly and Senators Rhoden, Adelstein, Begalka, Frerichs, Fryslie, Kraus, Lederman, and Sutton

1 FOR AN ACT ENTITLED, An Act to clarify certain rules of evidence to determine the value  
2 of services for which special damages may be awarded in health care malpractice cases.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 21-3 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 In determining what constitutes the reasonable value of the services for which special  
7 damages may be awarded pursuant to § 21-3-12, both the amount billed for such services and  
8 the amount paid for such services are admissible evidence.

